



General Assembly

January Session, 2001

Raised Bill No. 6896

LCO No. 4310

Referred to Committee on Judiciary

Introduced by:
(JUD)

***AN ACT CONCERNING THE CLAIM AGAINST THE STATE OF
SANDRA CARVALHO-CARUSO.***

Be it enacted by the Senate and House of Representatives in General Assembly convened:

1 (a) Notwithstanding the timely filing of a claim against the state
2 with the Claims Commissioner in accordance with section 4-147 and
3 subsection (a) of section 4-148 of the general statutes, and
4 notwithstanding the provisions of subsection (c) of section 4-148 of the
5 general statutes, Sandra Carvalho-Caruso is authorized to institute and
6 prosecute to final judgment an action against the state of Connecticut
7 to recover damages as compensation for personal injuries suffered by
8 her on August 18, 1999, while she was in the custody of the state of
9 Connecticut and allegedly caused by the negligence of the state acting
10 through its agents.

11 (b) The General Assembly deems such authorization to be just and
12 equitable and finds that such authorization is supported by compelling
13 equitable circumstances, would serve a public purpose and presents an
14 issue of law or fact under which the state, were it a private person,
15 could be liable.

16 (c) The state waives its immunity from liability and from suit in
17 such action and waives all defenses which might arise from the
18 eleemosynary or governmental nature of the activity complained of.
19 The rights and liability of the state in such action shall be coextensive
20 with and shall equal the rights and liability of private persons in like
21 circumstances.

Statement of Purpose:

To authorize Sandra Carvalho-Caruso to bring a civil action against the state of Connecticut in the Superior Court.

[Proposed deletions are enclosed in brackets. Proposed additions are indicated by underline, except that when the entire text of a bill or resolution or a section of a bill or resolution is new, it is not underlined.]